

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA**

In Re:

CCCG, LLC,

Debtor.

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**Case No. 16-12040-M
Chapter 7**



**ORDER ON AMENDED TRUSTEE'S FINAL REPORT,
APPROVING TRUSTEE'S FEES AND EXPENSES
AND TRUSTEE'S PROFESSIONAL FEES AND
EXPENSES, AND PAYMENT OF SECURED CLAIM**

The Amended Trustee's Final Report filed August 28, 2020 [Doc. #206], Statement of No Adverse Impact Regarding Amended Trustee's Final Report filed August 31, 2020 [Doc. #207], Trustee's Final Report filed April 28, 2020 [Doc. #190], and Notice of Trustee's Final Report filed April 29, 2020 [Doc. #191] by Scott P. Kirtley, Trustee, came before this Court for consideration.

After reviewing the above referenced pleadings, the Court, pursuant to Fed. R. Bankr. P. 7052, finds as follows:

1. Parties in interest entitled to notice have been given proper notice of the Final Report, no objections to the Final Report have been filed and the deadline for objections has expired. A Certification of Review of the Final Report has been filed by the United States Trustee.

2. Pursuant to the Statement of No Adverse Impact Regarding Amended Trustee's Final Report, the Trustee contends the Amended Final Report does not adversely impact the amount of distribution to any creditor or party in interest.

3. The employment of all applicants seeking compensation were previously authorized by the Court and the services rendered by the Trustee and professional employed by the Trustee were reasonable and necessary.

4. The Trustee should be authorized to pay such trustee's fee and expenses, and professional fees and expenses as follows:

- a. Scott P. Kirtley, Trustee, a trustee fee, which is hereby allowed in the sum of \$119,362.12, of which \$102,683.72 in trustee fees were approved on an interim basis on November 6, 2019, leaving a balance of \$16,678.40.
- b. Scott P. Kirtley, Trustee, out of pocket expenses of the Trustee, which are hereby allowed in the sum of \$1,032.20.
- c. Scott P. Kirtley, Riggs, Abney, Neal, Turpen, Orbison & Lewis, an attorney fee, which is hereby allowed in the sum of \$93,074.25 of which \$88,478.00 was approved on an interim basis on November 6, 2019, leaving a balance of \$4,596.25.
- d. Scott P. Kirtley, Riggs, Abney, Neal, Turpen, Orbison & Lewis, out of pocket expenses, which are hereby allowed in the sum of \$317,433.59 of which \$317,205.89 was approved on an interim basis on August 29, 2017, February 13, 2018, and November 6 2019, leaving a balance of \$227.70.

5. Pursuant to the Order Approving and Authorizing Compromise and Settlement With BNP Paribas and Interim Distribution to BNP Paribas [Document No. 120] the Court ordered, adjudged and decreed:

- a. The Trustee's administration of the assets in this case with the net proceeds of BNP Paribas' ("BNPP") collateral to be divided 95% for the benefit of BNPP and 5% for the non-BNPP unsecured creditors of this case.
- b. The Trustee's charging of BNPP's collateral under 11 U.S.C. Section 506(c) with the Trustee's expenses of preserving and selling assets, collecting accounts receivable, insuring the assets and the estates, including the Trustee's Fee

and the attorney's fee of the Trustee's counsel as ultimately awarded in this case, provided that 100% of the costs of to the estate for preparation of tax returns and 100% of the costs of D&O insurance are to be paid from BNPP's share of the net proceeds of BNPP's collateral.

c. The Trustee was authorized to make an interim distribution in the amount of \$1,726,817.09 to BNPP on October 11, 2019. Therefore, the Trustee is authorized to pay the balance of the secured claim of BNP Paribas, Claim No. 6, the sum of \$313,420.57.

IT IS THEREFORE ORDERED that the Trustee's Amended Final Report is approved.

IT IS FURTHER ORDERED that the Trustee's fees and expenses as requested in the Amended Final Report are hereby approved, which the Trustee is hereby authorized to pay.

IT IS FURTHER ORDERED that the attorney's fees and expenses as requested in the Final Fee Application of Scott P. Kirtley, Riggs Abney Turpen Orbison & Lewis are hereby approved, which the Trustee is hereby authorized to pay.

IT IS FURTHER ORDERED that the Trustee is authorized to pay to BNPP, Claim No. 6, the remainder of its allowed secured claim in the sum \$313,420.57.

IT IS FURTHER ORDERED that any unclaimed funds shall be paid to the Clerk of the Bankruptcy Court pursuant to 11 U.S.C. § 347(a).

IT IS FURTHER ORDERED that any small dividends shall be paid to the Clerk of the Bankruptcy Court pursuant to Bankruptcy Rule 3010(a) and 11 U.S.C. § 347(b).

DATED this 3rd day of September, 2020.

BY THE COURT:



TERRENCE L. MICHAEL
UNITED STATES BANKRUPTCY JUDGE

SUBMITTED BY:

s/ Scott P. Kirtley

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